

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

INVENSAS CORPORATION,

*Plaintiff,*

v.

SAMSUNG ELECTRONICS CO., LTD.,  
and SAMSUNG ELECTRONICS  
AMERICA, INC.,

*Defendants.*

Civil Action No. 2:17-cv-670-RWS-RSP

JURY TRIAL DEMANDED

**JOINT MOTION TO AMEND INFRINGEMENT AND INVALIDITY CONTENTIONS**

Plaintiff Invensas Corporation (“Invensas”) and Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (collectively, “Samsung”) in accordance with Local Patent Rule 3-6, hereby jointly move the Court for leave to amend the parties’ respective disclosures under Local Patent Rule 3.

On August 26, 2018 and August 16, 2018, the parties exchanged proposed amended infringement and invalidity contentions, respectively. The parties represent to the Court that the exchange of amended contentions will not prejudice any party with respect to their ability to meet future deadlines in the case. The parties also jointly agree that good cause otherwise exists under Local Patent Rule 3-6(b) to amend their original contentions, and thus hereby jointly move the Court for the following relief: (1) that Plaintiff be permitted to amend its P.R. 3-1 and 3-2 Infringement Contentions and Accompanying Document Production; and (2) that Defendants be permitted to amend their P.R. 3-3 and 3-4 Invalidity Contentions and Accompanying Document Production.

WHEREFORE, the parties respectfully request that the Court grant this joint motion and permit amendment of their respective infringement and invalidity contentions.

Dated: August 31, 2018

Respectfully submitted,

/s/ Melissa R. Smith  
Melissa Richards Smith  
Texas State Bar No. 24001351  
Email: melissa@gillamsmithlaw.com  
GILLAM & SMITH, LLP  
303 South Washington Avenue  
Marshall, Texas 75670  
Telephone: (903) 934-8450  
Facsimile: (903) 934-9257

Brian M. Berliner (Lead Counsel)  
California Bar No. 156732  
Email: bberliner@omm.com  
Ryan K. Yagura  
Texas State Bar No. 24075933  
Email: ryangura@omm.com  
Anthony Beasley  
Texas State Bar No. 24093882  
Email: tbeasley@omm.com  
Vincent Zhou  
State Bar No. 251969  
Email: vzhou@omm.com  
O'MELVENY & MYERS LLP  
400 S. Hope Street  
Los Angeles, California 90071  
Telephone: (213) 430-6000  
Facsimile: (213) 430-6407

Darin W. Snyder  
California Bar No. 136003  
Email: dsnyder@omm.com  
Mark Liang  
California Bar No. 278487  
Email: mliang@omm.com

O'MELVENY & MYERS LLP  
Two Embarcadero Center, 28<sup>th</sup> Floor  
San Francisco, California 94111  
Telephone: (415) 984-8700  
Facsimile: (415) 984-8701

D. Sean Trainor  
D.C. Bar No. 463514  
Email: dstrainor@omm.com  
Mishima Alam  
State Bar No. 1027654  
Email: malam@omm.com  
O'MELVENY & MYERS LLP  
1625 Eye Street NW  
Washington, D.C. 20037  
Telephone: (202) 384-5300  
Facsimile: (202) 383-5414

***Counsel for Defendants  
Samsung Electronics Company, Ltd. and  
Samsung Electronics America, Inc.***

/s/ Lawrence J. Gotts  
Clement J. Naples  
New York Bar No. 4217717  
LATHAM & WATKINS LLP  
885 Third Avenue  
New York, NY 10022-4834  
Tel.: (212) 906-1200  
Fax: (212) 751-4864

Matthew J. Moore  
DC Bar No. 453773  
Lawrence J. Gotts  
DC Bar No. 417219  
LATHAM & WATKINS LLP  
555 Eleventh Street, NW Suite 1000  
Washington, DC 20004-1304  
Tel.: (202) 637-2200  
Fax: (202) 637-2201  
Matthew.Moore@lw.com  
Lawrence.Gotts@lw.com

Joseph H. Lee  
California Bar No. 248046  
LATHAM & WATKINS LLP  
650 Town Center Drive, 20th Floor  
Costa Mesa, CA 92626-1925  
Tel: 714-540-1235  
Fax: 714-755-8290  
Joseph.Lee@lw.com

Amit Makker  
California Bar No. 280747  
Brian W. Lewis  
California Bar No. 290727  
LATHAM & WATKINS LLP  
505 Montgomery Street, Suite 2000  
San Francisco, CA 94111  
Tel: 415-391-0600  
Fax: 415-395-8095  
Amit.Makker@lw.com  
Brian.W.Lewis@lw.com

T. John Ward  
Texas State Bar No. 20848000  
Claire Abernathy Henry  
Texas State Bar No. 24053063  
Andrea Fair  
Texas State Bar No. 24078488  
WARD, SMITH & HILL, PLLC  
PO Box 1231  
Longview, Texas 75606-1231  
(903) 757-6400 (telephone)  
(903) 757-2323 (facsimile)  
tjw@wsfirm.com  
claire@wsfirm.com  
andrea@wsfirm.com

***Attorneys for Plaintiff  
Invensas Corporation***

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on August 31, 2018.

/s/ *Melissa R. Smith*

Melissa R. Smith